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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,321	07/31/2000	THOMAS C. HILL	PF01869NA	4702

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EXAMINER

JACKSON, BLANE J

ART UNIT PAPER NUMBER

2685

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,321

Applicant(s)

HILL ET AL.

Examiner

Blane J Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 4, 6, 13 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 4-6, 13 and 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Yee et al. (US 6,085,090).

As to claims 4 and 5, Yee teaches at least one sensor communicating sensor added information to a communication device within a network to control a power consumption level of the communication device, wherein the communication device uses a *service discovery protocol* to look for a fixed position sensor for additional sensor information to adjust the power consumption level of the communication device (figure 2, an autonomous interrogatable information and position device (10) with control processor (20) that may be preprogrammed to *initiate a call* (rather than interrogated) to one or more predetermined telephone numbers *upon detection of certain conditions* of local site sensors or equipment, measured locations or location sets as detected by

the geo-location device (14), column 4, line 27 to column 5, line 33 and the power converter/controller (104) signals a sleep mode and to cause a power switch (110) to turn off non-essential portion of the communications device when idle, column 8, lines 16-35, where specific sections may be shut off unless a message is being transmitted or received).

With additional specific reference to claim 5, the controller of Yee would use the "location sets" position data like a motion sensor for pre-programmed reporting of the vehicle position whether in motion or at rest with non-essential portions of the device turned off when the device is idle or on when detecting and reporting pre-programmed events, column 8, lines 16-28. Yee teaches an example of a positional tracking application with specific power control and reporting based on detected position data, column 8, lines 36-63.

As to claim 6, with reference to claim 4, Yee teaches an apparatus comprising at least one sensor determines a position of the communication device (figure 2, GPS receiver (140), column 6, lines 7-53) and if the position of the wireless communication device is an active position, the communication device is place in an active power mode and if the position of the communication device is an inactive position, the communication device is placed in a stand-by power mode (figures 1 and 2, the control processor (20) may be preprogrammed to report or process and report sensor data, measured locations or location sets as sensed by the geo-location device (14), column 7-33).

As to claim 13, Yee teaches a method of improving battery life of a wireless communication device comprising:

Sensing environmental conditions within a predetermined distance of the wireless communication device with a plurality of coupled sensors (communication device to detect, process and report conditions of interest at a local site, column 2, lines 28-50),

Determining a usage pattern match based on the sensed environmental conditions (control processor (20) preprogrammed to process and initiate a telephone call upon detection of certain conditions of local site sensors, column 5, lines 7-16),

Adjusting a power consumption level of the wireless communication device in accordance with the usage pattern match, wherein the wireless communication device switch from a stand-by power mode to an active mode when the sensed environmental conditions satisfy a predetermined condition and automatically transmits a predetermined message to a predetermined device after the predetermined condition is satisfied (with self detection and self initiated call, leaving sleep mode to transmit the call, column 8, lines 16-28).

As to claim 14, Yee teaches the method as claimed in claim 13 wherein the plurality of sensors are selected from the group consisting of a motion sensor, a light sensor, a crowd sensor, a range sensor, a moisture sensor, an inertial sensor, an accelerometer sensor and a sound sensor (biological, physiological, meteorological,

geological, light, temperature, velocity or other detection devices, column 13, lines 10-31).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato (US 5,953,677) discloses a mobile telephone comprising a position a motion sensor to determine power saving. Marui et al. (US 5,134,708) discloses a radiotelephone that disconnects the telephone link and returns to a standby mode if the received signal is lost or too weak. Sheynblat et al. (US 6,408,196) discloses a method to save cellular telephone battery power reserve for an emergency telephone call. Besharat et al. (US 6,219,540) discloses a radiotelephone providing out of range battery saving. Croft et al. (US 6,078,826) discloses mobile telephone power savings responsive to location. Bellin (US 5,594,951) discloses a radiotelephone having a timer and roam power shutoff feature. Breed (US 2005/0046584) discloses automobile sensors with a transmitter for command control feedback.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ


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